

AUG 07 2019

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

U.S. DISTRICT COURT
W. DIST. OF N.C.

UNITED STATES OF AMERICA)	DOCKET NO. 1:19 CR 28
)	
v.)	<u>SUPERSEDING</u>
)	<u>BILL OF INDICTMENT</u>
)	
1) PROPHET KARIM HADIALIM ALLAH)	Violations:
a/k/a "Prophet Allah")	21 USC § 846
a/k/a "Profit")	21 USC § 841(a)(1)
2) RODNEY DEJUAN ALLISON)	18 USC § 924(c)
a/k/a "Hot")	18 USC § 922(g)
a/k/a "Biggs")	
3) WILLIAM LUTHER DOWNS, JR.)	
a/k/a "Little Hot")	
4) HARRY JAMES ODUM)	
a/k/a "Jake")	
5) DERRICK MAURICE PERRY)	
a/k/a "Dee")	
6) TERESA DAY SHUPING)	
7) ELLIOT NORRIS SMITH)	
a/k/a "Ell")	
8) JEFFREY ALLEN WRIGHT)	

THE GRAND JURY CHARGES:

COUNT ONE

From in or around March of 2017 and continuing until on or about March 15, 2019, in Surry and Buncombe Counties, which are within the Western District of North Carolina, and elsewhere,

- 1) PROPHET KARIM HADIALIM ALLAH a/k/a "Prophet Allah" a/k/a "Profit"
- 2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"
- 3) WILLIAM LUTHER DOWNS, JR. a/k/a "Little Hot"
- 4) HARRY JAMES ODUM a/k/a "Jake"
- 5) DERRICK MAURICE PERRY a/k/a "Dee"
- 6) TERESA DAY SHUPING
- 7) ELLIOT NORRIS SMITH a/k/a "Ell"
- 8) JEFFREY ALLEN WRIGHT

did knowingly and intentionally combine, conspire, confederate and agree with each other, and others, both known and unknown to the Grand Jury, to distribute and to possess with intent to distribute a quantity of heroin, a Schedule I controlled substance; a quantity of marijuana, a Schedule I controlled substance; a quantity of cocaine base, more commonly known as "crack cocaine," a Schedule II controlled substance; a quantity of cocaine, a Schedule II controlled substance; a quantity of methamphetamine, a Schedule II controlled substance; a quantity of oxycodone, a Schedule II controlled substance; a quantity of amphetamine, more commonly known as "Adderrall," a Schedule II controlled substance; and a quantity of alprazolam, more commonly known as "Xanax," a Schedule IV controlled substance; and in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), 841(b)(1)(B), 841(b)(1)(C), 841(b)(1)(D) and 841(b)(2).

It is further alleged that, with respect to the conspiracy offense charged in Count One, 100 grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, are attributable to, and were reasonably foreseeable by **2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs."** Accordingly, Title 21, United States Code, Section 841(b)(1)(B) is applicable to **2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs."**

It is further alleged that, with respect to the conspiracy offense charged in Count One, a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, are attributable to, and were reasonably foreseeable by **3) WILLIAM LUTHER DOWNS, JR. a/k/a "Little Hot."** Accordingly, Title 21, United States Code, Section 841(b)(1)(C) is applicable to **3) WILLIAM LUTHER DOWNS, JR. a/k/a "Little Hot."**

It is further alleged that, with respect to the conspiracy offense charged in Count One, a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance, are attributable to, and were reasonably foreseeable by **2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs."** Accordingly, Title 21, United States Code, Section 841(b)(1)(D) is applicable to **2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs."**

It is further alleged that, with respect to the conspiracy offense charged in Count One, 28 grams or more of a mixture or substance containing a detectable amount of cocaine base, a Schedule II controlled substance, are attributable to, and were reasonably foreseeable by **2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"** and **5) DERRICK MAURICE PERRY a/k/a "Dee."** Accordingly, Title 21, United States Code, Section 841(b)(1)(B) is applicable to **2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"** and **5) DERRICK MAURICE PERRY a/k/a "Dee."**

It is further alleged that, with respect to the conspiracy offense charged in Count One, a mixture or substance containing a detectable amount of cocaine base, a Schedule II controlled substance, are attributable to, and were reasonably foreseeable by **3) WILLIAM LUTHER**

DOWNNS, JR. a/k/a "Little Hot" and 7) ELLIOT NORRIS SMITH a/k/a "Ell." Accordingly, Title 21, United States Code, Section 841(b)(1)(C) is applicable to **3) WILLIAM LUTHER DOWNNS, JR. a/k/a "Little Hot" and 7) ELLIOT NORRIS SMITH a/k/a "Ell."**

It is further alleged that, with respect to the conspiracy offense charged in Count One, a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, are attributable to, and were reasonably foreseeable by **2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs."** Accordingly, Title 21, United States Code, Section 841(b)(1)(C) is applicable to **2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs."**

It is further alleged that, with respect to the conspiracy offense charged in Count One, 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, are attributable to, and were reasonably foreseeable by **2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs," 4) HARRY JAMES ODUM a/k/a "Jake" and 8) JEFFREY ALLEN WRIGHT.** Accordingly, Title 21, United States Code, Section 841(b)(1)(A) is applicable to **2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs," 4) HARRY JAMES ODUM a/k/a "Jake" and 8) JEFFREY ALLEN WRIGHT.**

It is further alleged that, with respect to the conspiracy offense charged in Count One, 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, are attributable to, and were reasonably foreseeable by **1) PROPHET KARIM HADIALIM ALLAH a/k/a "Prophet Allah" a/k/a "Profit," 3) WILLIAM LUTHER DOWNNS, JR. a/k/a "Little Hot" and 6) TERESA DAY SHUPING.** Accordingly, Title 21, United States Code, Section 841(b)(1)(B) is applicable to **1) PROPHET KARIM HADIALIM ALLAH a/k/a "Prophet Allah" a/k/a "Profit," 3) WILLIAM LUTHER DOWNNS, JR. a/k/a "Little Hot" and 6) TERESA DAY SHUPING.**

It is further alleged that, with respect to the conspiracy offense charged in Count One, a mixture or substance containing a detectable amount of oxycodone, a Schedule II controlled substance, are attributable to, and were reasonably foreseeable by **5) DERRICK MAURICE PERRY a/k/a "Dee" and 7) ELLIOT NORRIS SMITH a/k/a "Ell."** Accordingly, Title 21, United States Code, Section 841(b)(1)(C) is applicable to **5) DERRICK MAURICE PERRY a/k/a "Dee" and 7) ELLIOT NORRIS SMITH a/k/a "Ell."**

It is further alleged that, with respect to the conspiracy offense charged in Count One, a mixture or substance containing a detectable amount of amphetamine, a Schedule II controlled substance, are attributable to, and were reasonably foreseeable by **2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs," 5) DERRICK MAURICE PERRY a/k/a "Dee" and 7) ELLIOT NORRIS SMITH a/k/a "Ell."** Accordingly, Title 21, United States Code, Section 841(b)(1)(C) is applicable to **2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs," 5) DERRICK MAURICE PERRY a/k/a "Dee" and 7) ELLIOT NORRIS SMITH a/k/a "Ell."**

It is further alleged that, with respect to the conspiracy offense charged in Count One, a mixture or substance containing a detectable amount of alprazolam, a Schedule IV controlled substance, are attributable to, and were reasonably foreseeable by 2) **RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"** and 3) **WILLIAM LUTHER DOWNS, JR. a/k/a "Little Hot."** Accordingly, Title 21, United States Code, Section 841(b)(2) is applicable to 2) **RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"** and 3) **WILLIAM LUTHER DOWNS, JR. a/k/a "Little Hot."**

In violation of Title 21, United States Code, Section 846.

COUNT TWO

On or about August 25, 2017, in Buncombe County, within the Western District of North Carolina,

2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"

did knowingly and intentionally distribute a quantity of cocaine base, more commonly known as "crack cocaine," a Schedule II controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of cocaine base.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT THREE

On or about December 20, 2017, in Buncombe County, within the Western District of North Carolina,

2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"

did knowingly and intentionally distribute a quantity of cocaine base, more commonly known as "crack cocaine," a Schedule II controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of cocaine base.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT FOUR

On or about January 22, 2018, in Buncombe County, within the Western District of North Carolina,

2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"
8) JEFFREY ALLEN WRIGHT

did knowingly and intentionally possess with intent to distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved at least 500 grams of a mixture or substance containing a detectable amount of methamphetamine.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT FIVE

On or about January 22, 2018, in Buncombe County, within the Western District of North Carolina,

8) JEFFREY ALLEN WRIGHT

in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that being possession with intent to distribute a controlled substance, did knowingly possess a firearm, that being, a Ruger, Model LCP, .380 cal. semi-automatic pistol.

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT SIX

On or about January 22, 2018, in Buncombe, within the Western District of North Carolina,

8) JEFFREY ALLEN WRIGHT

knowing that he had previously been convicted of at least one crime punishable by imprisonment for a term exceeding one year, did knowingly and unlawfully possess firearms in and affecting commerce, those being, a Ruger, Model LCP, .380 cal. semi-automatic pistol; an FN Herstal, Model FNP-9, 9mm semi-automatic pistol; a Jimenez Arms, Model J.A. Nine, 9mm semi-automatic pistol; a Jimenez Arms, Model J.A. 22, .22LR semi-automatic pistol; a Lorcin, Model L380, .380 cal. semi-automatic pistol; a Mossberg, Model 500, 12 gauge shotgun; and a Stoeger, Model P350, 12 gauge shotgun.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT SEVEN

On or about March 23, 2018, in Buncombe County, within the Western District of North Carolina,

2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"

did knowingly and intentionally distribute a quantity of cocaine base, more commonly known as "crack cocaine," a Schedule II controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of cocaine base.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT EIGHT

On or about March 27, 2018, in Buncombe County, within the Western District of North Carolina,

2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"

did knowingly and intentionally distribute a quantity of cocaine base, more commonly known as "crack cocaine," a Schedule II controlled substance, and a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of cocaine base and a mixture or substance containing a detectable amount of methamphetamine.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT NINE

On or about July 11, 2018, in Buncombe County, within the Western District of North Carolina,

2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"

did knowingly and intentionally distribute a quantity of cocaine base, more commonly known as "crack cocaine," a Schedule II controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of cocaine base.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TEN

On or about August 10, 2018, in Buncombe County, within the Western District of North Carolina,

3) WILLIAM LUTHER DOWNS, JR. a/k/a "Little Hot"

did knowingly and intentionally distribute a quantity of heroin, a Schedule I controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of heroin.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT ELEVEN

On or about September 27, 2018, in Buncombe County, within the Western District of North Carolina,

5) DERRICK MAURICE PERRY a/k/a "Dee"

7) ELLIOT NORRIS SMITH a/k/a "Ell"

did knowingly and intentionally possess with intent to distribute a quantity of oxycodone, a Schedule II controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of oxycodone.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWELVE

On or about September 27, 2018, in Buncombe County, within the Western District of North Carolina,

- 2) RODNEY DEJUAN ALLISON a/k/a “Hot” a/k/a “Biggs”**
5) DERRICK MAURICE PERRY a/k/a “Dee”
7)ELLIOT NORRIS SMITH a/k/a “Ell”

did knowingly and intentionally possess with intent to distribute a quantity of cocaine base, more commonly known as “crack cocaine,” a Schedule II controlled substance; and a quantity of amphetamine, more commonly known as “Adderrall,” a Schedule II controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of cocaine base and a mixture or substance containing a detectable amount of amphetamine.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT THIRTEEN

On or about September 27, 2018, in Buncombe County, within the Western District of North Carolina,

- 2) RODNEY DEJUAN ALLISON a/k/a “Hot” a/k/a “Biggs”**
5) DERRICK MAURICE PERRY a/k/a “Dee”
7)ELLIOT NORRIS SMITH a/k/a “Ell”

in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that being possession with intent to distribute a controlled substance, did knowingly possess firearms, those being, a Ruger, Model P90, .45 cal. semi-automatic pistol; a Taurus, Model 709 Slim, 9mm semi-automatic pistol; and a Rossi, Model M68, .38 cal. revolver.

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT FOURTEEN

On or about September 27, 2018, in Buncombe County, within the Western District of North Carolina,

2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"

knowing that he had previously been convicted of at least one crime punishable by imprisonment for a term exceeding one year, did knowingly and unlawfully possess firearms in and affecting commerce, those being, a Ruger, Model P90, .45 cal. semi-automatic pistol; a Taurus, Model 709 Slim, 9mm semi-automatic pistol; and a Rossi, Model M68, .38 cal. revolver.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT FIFTEEN

On or about September 28, 2018, in Buncombe County, within the Western District of North Carolina,

2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"

did knowingly and intentionally possess with intent to distribute a quantity of marijuana, a Schedule I controlled substance; and a quantity of cocaine base, more commonly known as "crack cocaine," a Schedule II controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of marijuana and a mixture or substance containing a detectable amount of cocaine base.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT SIXTEEN

On or about September 28, 2018, in Buncombe County, within the Western District of North Carolina,

2) RODNEY DEJUAN ALLISON a/k/a “Hot” a/k/a “Biggs”

in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that being possession with intent to distribute a controlled substance, did knowingly possess firearms, those being, a Romarm, Model Draco, 7.62x39mm semi-automatic pistol; a Springfield Armory, Model XD-9, 9mm semi-automatic pistol; and a Ruger, Model LCP, .380 cal. semi-automatic pistol.

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT SEVENTEEN

On or about September 28, 2018, in Buncombe County, within the Western District of North Carolina,

2) RODNEY DEJUAN ALLISON a/k/a “Hot” a/k/a “Biggs”

knowing that he had previously been convicted of at least one crime punishable by imprisonment for a term exceeding one year, did knowingly and unlawfully possess firearms in and affecting commerce, those being, a Romarm, Model Draco 7.62x39mm semi-automatic pistol; a Springfield Armory, Model XD-9, 9mm semi-automatic pistol; and a Ruger, Model LCP, .380 cal. semi-automatic pistol.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT EIGHTEEN

From on or about September 25, 2018 to on or about September 26, 2018, in Surry and Buncombe Counties, within the Western District of North Carolina,

4) HARRY JAMES ODUM a/k/a “Jake”

6) TERESA DAY SHUPING

did knowingly and intentionally possess with intent to distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved at least 50 grams of a mixture and substance containing a detectable amount of methamphetamine.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT NINETEEN

On or about October 13, 2018, in Buncombe County, within the Western District of North Carolina,

3) WILLIAM LUTHER DOWNS, JR. a/k/a “Little Hot”

did knowingly and intentionally distribute a quantity of heroin, a Schedule I controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of heroin.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWENTY

On or about October 16, 2018, in Buncombe County, within the Western District of North Carolina,

- 1) **PROPHET KARIM HADIALIM ALLAH a/k/a "Prophet Allah" a/k/a "Profit"**
- 2) **RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"**
- 3) **WILLIAM LUTHER DOWNS, JR. a/k/a "Little Hot"**
- 4) **HARRY JAMES ODUM a/k/a "Jake"**

did knowingly and intentionally distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved at least 50 grams of a mixture and substance containing a detectable amount of methamphetamine.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWENTY-ONE

On or about October 18, 2018, in Buncombe County, within the Western District of North Carolina,

- 3) **WILLIAM LUTHER DOWNS, JR. a/k/a "Little Hot"**

did knowingly and intentionally distribute a quantity of heroin, a Schedule I controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of heroin.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWENTY-TWO

On or about October 30, 2018, in Buncombe County, within the Western District of North Carolina,

- 1) PROPHET KARIM HADIALIM ALLAH a/k/a "Prophet Allah" a/k/a "Profit"**
4) HARRY JAMES ODUM a/k/a "Jake"

did knowingly and intentionally distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved at least 50 grams of a mixture and substance containing a detectable amount of methamphetamine.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWENTY-THREE

On or about November 14, 2018, in Buncombe County, within the Western District of North Carolina,

- 1) PROPHET KARIM HADIALIM ALLAH a/k/a "Prophet Allah" a/k/a "Profit"**
2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"
4) HARRY JAMES ODUM a/k/a "Jake"

did knowingly and intentionally distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved at least 50 grams of a mixture and substance containing a detectable amount of methamphetamine.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWENTY-FOUR

On or about January 10, 2019, in Buncombe County, within the Western District of North Carolina,

3) WILLIAM LUTHER DOWNS, JR. a/k/a "Little Hot"

did knowingly and intentionally distribute a quantity of cocaine base, more commonly known as "crack cocaine," a Schedule II controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of cocaine base.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWENTY-FIVE

On or about January 14, 2019, in Buncombe County, within the Western District of North Carolina,

3) WILLIAM LUTHER DOWNS, JR. a/k/a "Little Hot"

in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that being possession with intent to distribute a controlled substance, did knowingly possess a firearm, that being, a Glock 9mm semi-automatic pistol.

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT TWENTY-SIX

On or about January 14, 2019, in Buncombe County, within the Western District of North Carolina,

3) WILLIAM LUTHER DOWNS, JR. a/k/a "Little Hot"

knowing that he had previously been convicted of at least one crime punishable by imprisonment for a term exceeding one year, did knowingly and unlawfully possess a firearm in and affecting commerce, that being, a Glock 9mm semi-automatic pistol.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT TWENTY-SEVEN

On or about January 15, 2019, in Buncombe County, within the Western District of North Carolina,

3) WILLIAM LUTHER DOWNS, JR. a/k/a "Little Hot"

did knowingly and intentionally distribute a quantity of cocaine base, more commonly known as "crack cocaine," a Schedule II controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of cocaine base.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWENTY-EIGHT

On or about January 16, 2019, in Buncombe County, within the Western District of North Carolina,

2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"
4) HARRY JAMES ODUM a/k/a "Jake"

did knowingly and intentionally possess with intent to distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved at least 50 grams of a mixture and substance containing a detectable amount of methamphetamine.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWENTY-NINE

On or about January 23, 2019, in Buncombe County, within the Western District of North Carolina,

3) WILLIAM LUTHER DOWNS, JR. a/k/a "Little Hot"

did knowingly and intentionally distribute a quantity of cocaine base, more commonly known as "crack cocaine," a Schedule II controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of cocaine base.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT THIRTY

On or about January 29, 2019, in Buncombe County, within the Western District of North Carolina,

3) WILLIAM LUTHER DOWNS, JR. a/k/a "Little Hot"

did knowingly and intentionally possess with intent to distribute a quantity of alprazolam, more commonly known as "Xanax," a Schedule IV controlled substance.

1. Said offense involved a mixture and substance containing a detectable amount of alprazolam.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT THIRTY-ONE

On or about January 30, 2019, in Buncombe County, within the Western District of North Carolina,

3) WILLIAM LUTHER DOWNS, JR. a/k/a "Little Hot"

did knowingly and intentionally distribute a quantity of cocaine base, more commonly known as "crack cocaine," a Schedule II controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of cocaine base.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT THIRTY-TWO

On or about February 19, 2019, in Buncombe County, within the Western District of North Carolina,

3) WILLIAM LUTHER DOWNS, JR. a/k/a "Little Hot"

did knowingly and intentionally distribute a quantity of cocaine base, more commonly known as "crack cocaine," a Schedule II controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of cocaine base.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT THIRTY-THREE

On or about March 14, 2019, in Buncombe County, within the Western District of North Carolina,

3) WILLIAM LUTHER DOWNS, JR. a/k/a “Little Hot”

did knowingly and intentionally distribute a quantity of cocaine base, more commonly known as “crack cocaine,” a Schedule II controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of cocaine base.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT THIRTY-FOUR

On or about March 15, 2019, in Buncombe County, within the Western District of North Carolina,

3) WILLIAM LUTHER DOWNS, JR. a/k/a “Little Hot”

did knowingly and intentionally distribute a quantity of cocaine base, more commonly known as “crack cocaine,” a Schedule II controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of cocaine base.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT THIRTY-FIVE

On or about March 15, 2019, in Buncombe County, within the Western District of North Carolina,

3) WILLIAM LUTHER DOWNS, JR. a/k/a "Little Hot"

did knowingly and intentionally possess with intent to distribute a quantity of cocaine base, more commonly known as "crack cocaine," a Schedule II controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of cocaine base.

In violation of Title 21, United States Code, Section 841(a)(1).

NOTICE OF FORFEITURE AND FINDING OF PROBABLE CAUSE

Notice is hereby given of 21 U.S.C. § 853, 18 U.S.C. § 924, and 28 U.S.C. § 2461(c). The following property is subject to forfeiture in accordance with Section 853, 924, and/or 2461(c):

- a. All property which constitutes or is derived from proceeds of the violations set forth in this bill of indictment;
- b. All property used or intended to be used in any manner or part to commit or facilitate such violations;
- c. All firearms or ammunition involved or used in such violations; and
- d. If, as set forth in 21 U.S.C. § 853(p), any property described in (a), (b), or (c) cannot be located upon the exercise of due diligence, has been transferred or sold to, or deposited with, a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, all other property of the defendants to the extent of the value of the property described in (a), (b), and (c).

The Grand Jury finds probable cause to believe that the following property is subject to forfeiture on one or more of the grounds stated above:

- a. \$2,051 in United States currency seized incident to the arrest of **8) JEFFREY ALLEN WRIGHT** in Black Mountain, North Carolina on January 22, 2018;

b. a Ruger, Model LCP, .380 cal. semi-automatic pistol and ammunition seized incident to the arrest of **8) JEFFREY ALLEN WRIGHT** in Black Mountain, North Carolina on January 22, 2018;

c. an FN Herstal, Model FNP-9, 9mm semi-automatic pistol and ammunition; a Jimenez Arms, Model J.A. Nine, 9mm semi-automatic pistol and ammunition; and a Jimenez Arms, Model J.A. 22, .22LR semi-automatic pistol and ammunition seized during the execution of a search warrant on a green Dodge truck located at 201 McCoy Cove Road in Black Mountain, North Carolina and related to the arrest of **8) JEFFREY ALLEN WRIGHT** on January 22, 2018;

d. a Lorcin, Model L380, .380 cal. semi-automatic pistol and ammunition; a Mossberg, Model 500, 12 gauge shotgun and ammunition; and a Stoeger, Model P350, 12 gauge shotgun seized during a consent search of **8) JEFFREY ALLEN WRIGHT's** storage unit at 500 Old U.S. Highway 70 in Swannanoa, North Carolina on January 22, 2018;

e. \$33,180 in United States currency seized from **2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"** at Hartsfield-Jackson Atlanta International Airport in Atlanta, Georgia on February 13, 2018;

f. \$6,146 in United States currency seized incident to the arrest of **5) DERRICK MAURICE PERRY a/k/a "Dee"** and **7) ELLIOT NORRIS SMITH a/k/a "Ell"** on U.S. Highway 74 in Asheville, North Carolina on September 27, 2018;

g. \$260 in United States currency seized during the execution of a search warrant at the residence of **2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"** at 296 Gap Creek Road in Fletcher, North Carolina on September 27, 2018;

h. a Ruger, Model P90, .45 cal. semi-automatic pistol and ammunition; a Taurus, Model 709 Slim, 9mm semi-automatic pistol and ammunition; and a Rossi, Model M68, .38 cal. revolver and ammunition seized during the execution of a search warrant at the residence of **2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"** at 296 Gap Creek Road in Fletcher, North Carolina on September 27, 2018;

i. \$98,130.12 in United States currency seized during the execution of a search warrant at the residence of **2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"** at 25 Ora Street in Asheville, North Carolina on September 28, 2018;

j. a Romarm, Model Draco, 7.62x39mm semi-automatic pistol and ammunition; a Springfield Armory, Model XD-9, 9mm semi-automatic pistol and ammunition; and a Ruger, Model LCP, .380 cal. semi-automatic pistol and ammunition seized during the execution of a search warrant at the residence of **2) RODNEY DEJUAN ALLISON a/k/a "Hot" a/k/a "Biggs"** at 25 Ora Street in Asheville, North Carolina on September 28, 2018; and

k. \$13,907 in United States currency seized incident to the arrest of **3) WILLIAM LUTHER DOWNS, JR. a/k/a "Little Hot"** on South Bear Creek Road in Asheville, North Carolina on March 15, 2019.

A TRUE BILL:

✓
FOREPERSON

R. ANDREW MURRAY
UNITED STATES ATTORNEY


THOMAS KENT
ASSISTANT UNITED STATES ATTORNEY